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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOHN DOE,

Plaintiff,

No. C 06-06968 JSW

v.

ARNOLD SCHWARZENEGGER, et al.,

Defendants.

**ORDER RE DEFENDANT
BERBERIAN'S MOTION TO
DISMISS**

Now before the Court is the request by Defendant Edward S. Berberian, Jr. ("Berberian") to have its motion to dismiss heard on February 23, 2007 and to have it motion filed if required by the Court. The Court HEREBY GRANTS Berberian's request to have its motion heard on February 23, 2007 at 9:00 a.m. The Court ORDERS that Plaintiff's opposition shall be filed by no later than February 2, 2007 and Berberian's reply shall be filed by no later than February 9, 2007.

The Court CONDITIONALLY GRANTS the request to have the motion filed under seal. As a public forum, the Court will only entertain requests to seal that establish good cause and are narrowly tailored to seal only the particular information that is genuinely privileged or protectable as a trade secret or otherwise has a compelling need for confidentiality. Documents may not be filed under seal pursuant to blanket protective orders covering multiple documents. In addition, counsel should not attempt to seal entire pleadings or declarations without a particularized showing explaining why the request could not be more narrowly tailored. Any order granting a request to seal shall direct the sealing of only those documents, pages, or if

1 practicable, those portions of documents or pages that contain the information requiring
2 confidentiality. All other portions of such documents shall remain in the public file. Civil L.R.
3 79-5(b) & cmt.

4 Notwithstanding the Court's prior order at the hearing held on November 27, 2006 with
5 respect to filing documents under seal, the Court HEREBY ORDERS Plaintiff to make a
6 showing of good cause by no later than January 25, 2007 as to why Berberian's motion should
7 be filed under seal. If Plaintiff fails to make a sufficient showing, the motion will be publicly
8 filed.

9 **IT IS SO ORDERED.**

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11 Dated: January 22, 2007

Jeffrey S. White
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JEFFREY S. WHITE
13 UNITED STATES DISTRICT JUDGE
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